

REMARKS

Claims 1-15 were submitted for examination. In this Office Action, Claims 1-6, 8, 10 and 11-13 are rejected under 35 USC 102(e) as being anticipated by US Patent Application Publication No.: 2003/0087665 by Tokkonen (hereinafter "Tokkonen"), claims 7 and 9 are rejected under 35 USC 103(a) as being unpatentable over US Tokkonen, respectively, in view of US Patent No.: 6,341,218 by Poplawsky et al (hereinafter "Poplawsky") and US Patent Application Publication No.: 2002/0118798 by Langhart (hereinafter "Langhart").

The Examiner is appreciated for the thoughtful examination and comments in the Office Action. The Applications have amended Claims 1, 5-6, 11 and 14 in the foregoing to further distinguish from the cited references. Reconsideration of Claims 1-15 is respectfully requested in view of these amendments and the following remarks.

As amended, Claim 1 now recites:

a mobile device with telephonic capabilities so that a user of the mobile apparatus can make a call and receive a call while in motion, the mobile device including a user interface;
a recording mechanism integrated within the mobile device and controllable through the user interface; and
wherein the recording mechanism records an audio input when the user is engaged in a phone conversation with a caller so that the audio input can be replayed later, and
wherein, depending on a local regulation, the audio input includes one of a voice from the user only, a voice from the caller only, and the phone conversation between the user and the caller.

(Emphasis added)

One of the purposes of the present invention is to assist a user to remember something being discussed in a conversation with a caller. It is believed that one may have experienced a situation in which he/she is told a phone number in a phone conversation but has nothing to write it on, especially in driving. The present invention solves this similar kind of problem by providing a recording mechanism that can be activated to record what needs to be remembered. Claim 1 recites that the recording mechanism records an audio input when the user is engaged in a phone conversation with a caller that may be a callee as well. Further, Claim 1 recites that the audio input

can be any of the three types: a voice from the user, a voice from the caller only, or the phone conversation between the user and the caller.

In contrast, Tokkonen discloses a reminder embedded in a mobile device. Paragraphs [0013] and [0014] show clearly the operation of creating a reminder, which is done when the mobile device is not engaged in a phone conversation. Tokkonen's purpose is to use the mobile device to create a reminder but clearly not for recording a segment of information that needs to be remembered in a conversation. Accordingly, the Applicants submit that the once-amended claim 1 shall be allowable over the cited references. Reconsideration of claims 1-10 is respectfully requested.

Both claims 11 and 14 have been amended to include a limitation "wherein the audio recording mechanism is automatically suspended when the wireless telephone is engaged in a phone conversation with a caller". Tokkonen can be understood how to create a reminder on a mobile phone but is silent on the claimed feature that the audio recording mechanism is automatically suspended when the mobile phone is engaged in a phone conversation with someone. Accordingly, the Applicants submit that the once-amended claim 11 and 14 shall be also allowable over the cited references. Reconsideration of claims 11-15 is respectfully requested

In view of the above amendments and remarks, the Applicants believe that Claims 1-15 shall be in condition for allowance over the cited references. Early and favorable action is being respectfully solicited.

Request Under MPEP § 707.07(j): The undersigned, pro-se applicants, respectfully request that if the Examiner finds patentable subject matter disclosed in this application, but feels that Applicant's present claims are not entirely suitable, the Examiner drafts one or more allowable claims for the applicants.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

Respectfully submitted;


Joe Zheng

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to "Commissioner of Patents and Trademarks, Washington, DC 20231", on March 7, 2004.

[Faxed to (703)872-9314]

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